

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 RICHARD TERRY LARSON, ) No. C 12-3773 LHK (PR)  
11 Plaintiff, )  
12 v. ) ORDER GRANTING EXTENSION  
13 ) OF TIME TO FILE OPPOSITION;  
14 M. CATE, et al., ) DENYING MOTION FOR  
15 Defendants. ) APPOINTMENT OF COUNSEL  
16 )  
17 ) (Docket Nos. 44 & 45)

17 Plaintiff, a California state prisoner proceeding *pro se*, filed a civil rights action under 42  
18 U.S.C. § 1983. On July 18, 2013, defendants filed a motion for summary judgment. Plaintiff  
19 has filed a motion for appointment of counsel and a motion for an extension of time to file an  
20 opposition to defendants' motion for summary judgment. (Docket Nos. 44 & 45.) Defendants  
21 have filed an opposition to plaintiff's motion for appointment of counsel and a notice of non-  
22 opposition to plaintiff's motion for an extension of time to file an opposition. (Docket No. 47.)

23 Having read and considered the pleadings, plaintiff's motion for appointment of counsel  
24 is **DENIED** for want of exceptional circumstances. *See Rand v. Rowland*, 113 F.3d 1520, 1525  
25 (9th Cir. 1997); *see also Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981) (there is no  
26 constitutional right to counsel in a civil case). This denial is without prejudice to the court's *sua  
sponte* appointment of counsel at a future date should the circumstances of this case warrant such  
28 appointment.

1 Plaintiff's motion for an extension of time to file an opposition to defendants' motion for  
2 summary judgment is **GRANTED**. Plaintiff shall file an opposition **no later than thirty days**  
3 **(30) days** from the date this order is filed.

4 This order terminates docket nos. 44 and 45.

5 IT IS SO ORDERED.

6 DATED: 9/3/13

7   
LUCY H. KOH

8 United States District Judge

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